

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES A. HOWARD,

Defendant.

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CASE NO. 8:06CR384

ORDER

This matter is before the Court on the Defendant's motion to continue sentencing (Filing No. 157).

The Defendant argues that the Marshal neglected to provide him with a personal history packet to complete as the initial step in preparing the Presentence Investigation Report ("PSR"). Counsel states that he called the probation office, and a packet was to be sent to the Defendant at the Douglas County Correction Center. (Filing No. 152.) The PSR provided to the Court and the parties states that the Defendant waived the presentence investigation interview and did not submit a personal history packet.

Counsel shall immediately take the initiative personally to obtain a personal history packet from the probation office. Counsel shall then personally deliver or mail the packet to the Defendant; personally ensure that the packet has been received; and personally coordinate with the Defendant the delivery of the packet to the probation officer. An amended progression order will then be issued, stating only the following: a deadline for the submission of the personal history packet; a deadline for the submission of a Revised PSR; and a new sentencing date.

IT IS ORDERED:

1. The Defendant's motion to continue sentencing (Filing No. 157) is granted;
2. Defense counsel assist with the process relating to the personal history packet as described above; and
3. An Amended Order on Sentencing Schedule will be issued as stated above.

DATED this 11th day of September, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge